REMARKS

Applicant respectfully asks for reconsideration of both this application and the Office Action dated October 21, 2005. A response to this Office Action was due by January 21, 2006. Accordingly, Applicant is concurrently submitting a Petition for a two month extension of time, together with the associated small-entity petition fee of $225. Please consider this Request as timely filed.

Claims 1-3 and 5-48 were pending in this application. Applicant is presenting new claims 49-67 herein.

In the Office Action, the Examiner rejected claims 1-3, 5-10, 12-43, and 45-48 under 35 U.S.C. §103 over U.S. Patent No. 6,125,186 to Saito, et al. in view of prior art allegedly disclosed in Applicant's specification. Applicant respectfully traverses this rejection, and courteously asks for its reconsideration. Further, Applicant submits that this rejection is not applicable to any of new claims 49-67.

With respect to claims 1-3 and 5-9, Applicant points out these claims recite that "each data record incorporates a nonce and encrypted text that has been encrypted using the nonce..." Similarly, claims 10-15 recite "using the corresponding nonce to encrypt text and incorporating the encrypted text and the corresponding nonce into the data record..." Claims 16-22 recite a "communication protocol client function [that] encrypts text for the data record using a nonce and an encryption key and incorporate the respective encrypted text and nonce in the data record..." Still further, claims 23-29 and 49-51 recite "encrypting data records using a nonce..." while claims 30-37 and 52-54 recite "receiving data records...encrypted using a nonce..."

Claims 38-42 then recite "encypting the data record by using the corresponding nonce to encrypt text..." Claims 43-48 correspondingly recite "that each data record is encrypted by

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generating a nonce, wherein the nonce comprises an initialization vector [and] using the nonce to

encrypt text..." Claims 55-60 recite "encrypting the data record by encrypting text [and] usign

the nonce to generate a message authentication code corresponding to the encrypted text..."

Lastly, claims 61-67 recite "that each data record has been encrypted by generating a nonce,

encrypting text, [and] using the nonce to generate a message authentication code corresponding

to the encrypted text."

Applicant points out that this feature of using a nonce to encrypte a data record and then

appending the nonce to the data record is not taught or suggested by the Saito, et al. patent. In

making this rejection, the Examiner alleged that the Saito, et al. patent discloses the use of a

nonce this feature of the invention in column 4, lines 50-54, and column 5, lines 13-20. (See

Office Action, page 3, lines 18-20.).

Applicant again points out that column 4, lines 50-54 of the Saito, et al. patent reads:

> The trusted agents 14 and 17 can synchronously change the key (a confidential
> key) necessary for encryption in accordance with a predetermined rule. This
> increases the strength of the encryption.

Other than in the claims, it is Applicant's understanding that the Saito, et al. patent never again

mentions the term "key." Instead, the Saito, et al. patent subsequently employs the term "initial

seed," as evidenced in column 5, lines 13-20, also relied upon by the Examiner:

> When encrypted communication is started, first an initial seed is generated in the
> server 10. The initial seed is, for example, generated based on the time. Next, that
> initial seed is set in the trusted agents 11 and 14. Then the trusted agent 11 in
> which the initial seed has been set is sent to the client 15. As discussed above, the
> trusted agent 11 is transferred after having been encrypted by the RSA or DES
> method. Then the server 10 starts the trusted agent 14.

Thus, the Saito, et al. patent does not teach the use of an encryption key in combination

with another value, as suggested by the Examiner and recited in claims 1-9. Rather, Applicant

submits that the Saito, et al. patent interchangeably uses the term "key" and the term "initial seed" to refer to the same value. Accordingly, the Saito, et al. patent would not teach or suggest using a nonce in combination with an encryption key to decrypt a data record, as recited in claims 1-9.

The Examiner has further suggested that the serial number illustrated in Figures 14A and 14B of the Saito et al. patent serve as a nonce incorporated into the data packets. Applicant respectfully points out that this serial number is used to indicate the numbering of the packet, and is not used to encrypt the data packet as recited in claims 1-3, 5-10, 12-43, and 45-67. Accordingly, Applicant submits that nothing in the Saito, et al. patent would not teach or suggest the features of the invention recited in any of these claims. Nothing in the prior art disclosed in Applicant's specification would remedy this omission of the Saito, et al. patent. Applicant therefore asks that the rejection of claims 1-3, 5-10, 12-43, and 45-48 be withdrawn. Further, Applicant again submits that this rejection is not applicable to any of claims 49-67.

Claims 11 and 44 then were rejected under 35 U.S.C. §103 over the Saito, et al. patent in view of prior art disclosed in Applicant's specification, and in further view U.S. Patent Publication No. 2002/0101848 to Lee, et al. Applicant respectfully traverses this rejection, and courteously asks for its reconsideration as well. As discussed in detail above, it is believed that no combination of the Saito, et al. patent and the prior art disclosed in Applicant's specification would teach or suggest the various features of the invention recited in these claims. Applicant respectfully submits that the Lee, et al. patent publication does not remedy the omissions of the Saito, et al. patent and the prior art disclosed in Applicant's specification. Accordingly, Applicant respectfully submits that no combination of the Saito, et al. patent, the prior art disclosed in Applicant's specification, and the Lee, et al. patent publication would teach or suggest the

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features of the invention recited in either of claims 11 and 44. It is therefore requested that the

rejection of these claims be withdrawn.

In view of the above amendments and remarks, Applicants respectfully submit that all of

the claims are allowable, and that this application is therefore in condition for allowance.

Applicants courteously ask for favorable action at the Examiner's earliest convenience.

Respectfully submitted,

BANNER & WITCOFF, LTD.
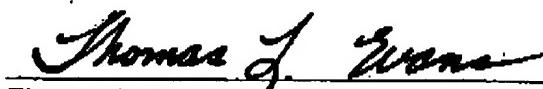
Thomas L. Evans

Thomas L. Evans
Registration No. 35,805

1001 G. Street N.W., 11th Floor
Washington, D.C. 20001-4597
Telephone: (503) 425-6800
Facsimile: (503) 425-6801

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